

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) Case No. CR02-229-TSZ
v.)
DANIEL GHERMAN,) SUMMARY REPORT OF U.S.
Defendant.) MAGISTRATE JUDGE AS TO
) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE

An evidentiary hearing on a petition for violation of supervised release in this case was scheduled before the undersigned Magistrate Judge on January 17, 2008. The United States was represented by Assistant United States Attorney Sarah Y. Vogel, and the defendant by Catherine Chaney. The proceedings were digitally recorded.

The defendant had been charged and convicted of Conspiracy to Distribute Cocaine, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846. On or about December 6, 2002, defendant was sentenced by the Honorable Thomas S. Zilly to a term of thirty-seven (37) months in custody, to be followed by five (5) years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, participation in a substance-abuse program and treatment; mental health and submit to searches.

In a Petition for Warrant or Summons dated December 14, 2007, U.S. Probation Officer Angela M. McGlynn asserted the following violation by defendant of the conditions of his supervised release:

**SUMMARY REPORT OF U.S. MAGISTRATE
JUDGE AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE**

- 01 (1) Failing to report to the United States Probation Office as directed on November
02 26, 2007, in violation of standard condition No. 2.
03 (2) Failing to submit complete and truthful monthly reports to the U.S. Probation
04 Office for September, October, and November 2007, in violation of standard
05 condition No. 2.
06 (3) Moving and changing residences without prior notification on or about November
07 1, 2007, in violation of standard condition No. 6.

08 On January 9, 2008, defendant made his initial appearance. The defendant was advised
09 of the allegation and advised of his rights. On January 17, 2008, defendant appeared for an
10 evidentiary hearing on the alleged violations. Defendant admitted to violations 1, 2 and 3.

11 I therefore recommend that the Court find the defendant to have violated the terms and
12 conditions of his supervised release as alleged in violations 1, 2 and 3, and that the Court conduct
13 a hearing limited to disposition. A disposition hearing has been set before the Honorable Thomas
14 S. Zilly on February 5, 2008, at 1:30 p.m.

15 Pending a final determination by the Court, the defendant has been detained.

16 DATED this 17th day of January, 2008.

17 
18 JAMES P. DONOHUE
19 United States Magistrate Judge

21 cc: District Judge: Honorable Thomas S. Zilly
22 AUSA: Ms. Sarah Y. Vogel
23 Defendant's attorney: Ms. Catherine Chaney
Probation officer: Ms. Angela M. McGlynn